

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the specification

A. Amendment to the specification

The specification is amended, as shown in the foregoing AMENDMENT TO THE SPECIFICATION, to provide antecedent basis for the elements of claims 54-56. It is respectfully submitted that no new matter is added since support for the amendment is found at least in Figs. 1, 3, 6, 7 as originally filed.

Entry of the AMENDMENT TO THE SPECIFICATION is respectfully requested in the next Office communication.

B. Objection to the specification

Reconsideration and removal of the objection to the specification is respectfully requested, in view of the amendments discussed above, on the basis that the specification provides antecedent basis for all of the claim elements.

Accordingly, removal of the objection to the specification is respectfully requested.

2. In the claims

As shown in the foregoing AMENDMENT TO THE CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

A. Claim amendments

Claims 1-35 remain canceled.

Claim 36 is canceled herein.

Claims 37-38 remain canceled.

Claim 39 is canceled herein.

Claims 40-53 remain canceled.

Claims 54-56 are amended to clarify that the third leg extends obliquely to the second leg, claim 55 is also amended to recite frame side members, and claim 56 is amended to recite portion. It is respectfully submitted that no new matter is added since the amendments merely correct minor informalities and support for the amendments is clearly found in Figs. 1, 3, 6, 7 of the pending application as originally filed.

Claim 58 remains canceled.

Claims 60-61 are canceled.

Claim 62 is amended to correct minor informalities pointed out in the Office action. It is respectfully submitted that no new matter is added since the amendments merely correct minor informalities.

Claims 57, 59, 63-65 are left unchanged.

Entry of the AMENDMENT TO THE CLAIMS is respectfully requested in the next Office communication.

B. Claim objections

Reconsideration and removal of the objection to the claims is respectfully requested, in view of the amendments discussed above, on the basis that the minor informalities pointed out in the Office action have been corrected.

Accordingly, removal of the objection to the claims is respectfully requested.

C. Rejection of claims 36, 39, 54-57, 60, and 62-65 under 35 U.S.C. § 112 first paragraph

Reconsideration of this rejection is respectfully requested, in view of the cancellation of claims 36, 39, and 60, and the amendments to claims 54-56, on the basis that the particular structural relationship of the third leg extending obliquely to the first leg, which forms the basis for the rejection, has been removed from the claims via cancellation or amendment of the claims.

Accordingly, withdrawal of this rejection is respectfully requested.

D. Rejection of claims 36, 39, 54-57, 60, and 60-65 under 35 U.S.C. § 112 second paragraph

Reconsideration of this rejection is respectfully requested, in view of the cancellation of claims 36, 39, and 60, and the amendments to claims 54-56, on the basis that the particular structural relationship of the third leg extending obliquely to the first leg, which forms the basis for the rejection, has been removed from the claims via cancellation or amendment of the claims.

Accordingly, withdrawal of this rejection is respectfully requested.

3. Rejection of claim 36 under 35 U.S.C. § 102(b) as being anticipated by European publication EP 835,978 (Schulz)

This rejection is rendered moot by the cancellation of claim 36.

Accordingly, withdrawal of this rejection is respectfully requested.

In so far as the rejection may be applicable to pending claims 54-57 and 62-65, the *Schulz* publication fails to disclose at least each of the insert parts having an end portion geometrically configured in the shape of a triangle as further defined by a second leg arranged to be urged against an inner wall of the attachment channel, a first leg extending at an oblique angle relative to the second leg, *and a third leg extending obliquely relative to the second leg* in a direction generally proximal to the corner portion *and connecting to the second leg*, as required by amended claims 54-56. The remaining claims depend from either claim 54, 55, or 56, and are therefore patentable as containing all of the recited elements of claims 54, 55, or 56, as well as for their respective recited features.

In reference to the annotated Fig. 1 of the *Schulz* publication shown on page 11 of the Office action, a corner joint for a window is described. The Office action indicates that the element labeled A5 is a second leg, the element labeled A7 is a first leg, and the element labeled A8 is a third leg extending obliquely relative to the first and second legs.

It is noted, however, that the elements labeled A5, A7, and A8 do not form a triangular shape with a third leg extending obliquely relative to the second leg in a direction generally proximal to the corner portion and connecting to the second leg, as required by amended claims 54-56. Instead, the elements labeled A5, A7, and A8 form a trapezoidal or other irregularly shaped polygon, with particular reference to the element labeled A4, which does not form the apex of a triangle, but rather forms an additional side to the geometric shape.

Further, the element A8 does not connect to the element A5, but rather connects to a corner piece with element 3. A more correct interpretation of the corner piece would indicate that the vertically oriented element adjacent to element 5 corresponds to the recited third leg of claims 54-56. However, as discussed above, the unlabeled element and elements A5 and A7 do not form a triangle shape, but rather form an irregular polygon shape. Further, the unlabeled element does not extend obliquely from the element A5, but instead extends at a right angle.

Thus, the *Schulz* publication fails to disclose at least each of the insert parts having an end portion geometrically configured in the shape of a triangle as further defined by a second leg arranged to be urged against an inner wall of the attachment channel, a first leg extending at an oblique angle relative to the second leg, *and a third leg extending obliquely relative to the second leg* in a direction generally proximal to the corner portion *and connecting to the second leg*, as required by amended claims 54-56, and thus amended claims 54-56 are considered patentable. The remaining claims depend from either claim 54, 55, or 56, and are therefore patentable as containing all of the recited elements of claims 54, 55, or 56, as well as for their respective recited features.

Additionally, with respect to amended claim 62, the *Schulz* publication fails to disclose a clearance defined between the outer wall of the respective attachment channel and the insert parts when the corner piece is inserted into the respective attachment channel, and the clearance generally extending from a locking part to at least the connecting end of the insert part.

As recited in claim 62, and shown at least in Figs. 1, 3, and 7 of the pending application, there is a clearance, or an absence of material, formed between the insert piece and the attachment channel, such that there is no material abutting, or arranged along the exterior side of the attachment channel. This configuration is clearly different from the corner piece of the *Schulz* publication, which clearly includes material or elements A3 along the exterior sides of the attachment channel.

One of the advantages of removing the material of inset piece in this area is that there is no material that can pull back and reduce the pressure that is applied along the third leg of the triangular part from the indented lip. The *Schulz* publication fails to disclose such an indented lip, and therefore provides no suggestion that would have motivated a skilled artisan to remove the material at the elements A3. Thus, for at least this additional reason, claim 62 is patentable.

4. Rejection of claims 39 and 60 under 35 U.S.C. § 103(a) as being unpatentable over European publication EP 835,978 (*Schulz*) and in view of German publication DE 4305377 (*Hustadt*)

This rejection is rendered moot by the cancellation of claims 39 and 60. Accordingly, withdrawal of this rejection is respectfully requested.

5. Rejection of claim 61 under 35 U.S.C. § 103(a) as being unpatentable over European publication EP 835,978 (*Schulz*) and in view of U.S. patent no. 4,530,195 (*Leopold*)

This rejection is rendered moot by the cancellation of claim 61. Accordingly, withdrawal of this rejection is respectfully requested.

6. Allowable subject matter

The applicant gratefully acknowledges the indication of allowability of claim 59, and notes the lack of a prior art rejection with respect to claims 54-57 and 62-65. Thus, it is believed that every pending claim is allowable, and the granting of a notice of allowance is respectfully requested.

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Examiner: Garcia, Ernesto
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7. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written over a horizontal line.

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